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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,260	04/02/2004	Peter Fornell	1005-10-01 USP	1780
42698	7590	10/03/2007		
FARSHAD JASON FARHADIAN			EXAMINER	
CENTURY IP LAW GROUP			TRUONG, BAO Q	
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			ART UNIT	PAPER NUMBER
			2875	
			MAIL DATE	DELIVERY MODE
			10/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/817,260	FORNELL, PETER	
	Examiner	Art Unit	
	Bao Q. Truong	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota [US 6,299,322] in view of Deeds [US 6,850,166 B2].

Regarding claim 11, Yokota discloses an illumination system for a mobile device having a light sensor [35, 44] for measuring a first intensity of ambient light, a first illumination mechanism [10, 20a] for illuminating a first user interface [key section 2] and a second illumination mechanism [10, 20b] for illuminating a second user interface [display 3], a memory [15] for storing illumination preferences [degrees of lightness] selected by a user, and a power management module [switch circuit 11, control circuit 12, controller 13, power source 16] for adjusting illumination intensity of the first and second illumination mechanisms based on ambient light (abstract, figures 1-5, column 2 lines 23-67, column 3 lines 1-60, column 4 lines 5-61, column 5 lines 1-17). Yokota does not disclose the first and second ambient light intensity thresholds.

Deeds teaches the use the first and second ambient light intensity thresholds for the technique of adjusting the ambient light intensity based on thresholds to use in the mobile phone (column 2 lines 40-54, column 3 lines 1-57).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to replace or to modify the degrees of lightness selected by a user of Yokota with the threshold value(s) from the user as clearly taught by Deeds for purpose of providing an advantageous way of comparison for automatically changing/adjusting an illumination of a mobile device based on environmental condition.

Regarding claims 12 and 13, Yokota discloses the power management module [11-16] (column 4 lines 5-30).

Regarding claim 14, Yokota discloses a phototransistor (column 4 line 15).

Regarding claim 15, Yokota discloses LEDs [10] (figure 2).

Regarding claim 16, Yokota discloses a comparator (figure 5, column 4 lines 20-25) and Roskind et al. discloses the threshold value from the user (abstract, figures 2-3, paragraph 0006).

Regarding claim 17, Yokota discloses a converter [11, 12] for adjust illumination intensity of the LEDs [10] based on signals a comparator (figures 1-6, whole document), and Roskind et al. discloses the threshold value from the user (abstract, figures 2-3, paragraph 0006).

Regarding claim 18, Yokota discloses a power management chip [15] and a microcontroller [13] (figure 5).

Regarding claim 19, Yokota discloses an analog to digital converter (column 4 line 18) inherently for converting signals provided by the light sensor to the microcontroller [13] (see figure 2 of US 2004/0012556).

Regarding claim 20, Yokota discloses an illumination system for a mobile device having illumination mechanisms [10, 20a, 20b] for illuminating two user interfaces [2, 3] in two states ON and OFF; a memory [15] for storing degrees of lightness selected by a user (abstract, figures 1-5, column 2 lines 23-67, column 3 lines 1-60, column 4 lines 5-61, column 5 lines 1-17). Yokota does not disclose the first and second ambient light intensity thresholds.

Deeds teaches the use the first and second ambient light intensity thresholds for the technique of adjusting the ambient light intensity based on thresholds to use in the mobile phone (column 2 lines 40-54, column 3 lines 1-57).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to replace or to modify the degrees of lightness selected by a user of Yokota with the threshold value(s) from the user as clearly taught by Deeds for purpose of providing an advantageous way of comparison for automatically changing an illumination of a mobile device based on environmental condition.

Response to Amendment

3. Applicant's arguments with respect to claims 1-9 and 11-20 have been considered but claims 11-20 are moot in view of the new ground(s) of rejection. A new reference, Deeds [US 6,850,166 B2] is applied.

Allowable Subject Matter

4. Claims 1-9 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

The method of claim 1 has been amended to recite a step of establishing a stable illumination intensity state for the first and second illumination mechanisms wherein a user defined predetermined range about each of the first and second thresholds is established by a first and second lower bound and a first and second upper bound, wherein the first illumination mechanism intensity is adjusted when the ambient light intensity is less than the first lower bound and greater than the first upper bound, and wherein the second illumination mechanism intensity is adjusted when the ambient light intensity is less than the second lower bound and greater than the second upper bound. The limitations discussed above are neither disclosed nor suggested by the prior art of record.

Claims 2-9 are dependent on claim 1.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Abbasi [US 7,117,019 B2] discloses a display and keypad backlight management for portable electronic device.

Art Unit: 2875

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Bao Q. Truong
Examiner
Art Unit 2875